

REMARKS

Applicants thank the Examiner for acknowledging patentable subject matter in claims 35-39, 42, 44-45, and 57-59.

Claims 30-33, 34, 40, 41, 43, 52 and 60-64 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 20 and 51-19 of allowed copending Application No. 09/878,886. Claims 35-39, 42, 44-45 and 57-59 were objected to as being dependent on one of the rejected claims. The objection and rejection of the claims are respectfully traversed.

Applicants' representative has tried without success to reach the Examiner by telephone to discuss the rejection of the claims. Applicants respectfully remind the Examiner that allowed Application No. 09/878,886 is the parent of the present application, and respectfully direct the Examiner's attention to page 1, lines 6-10, of the present application, which includes the priority data for the present application. The present application and copending application no. 10/718,845 were filed as divisional applications of said parent, in response to a restriction requirement in the parent application. Applicants submit that issuance of a patent for the pending claims in the present application would not provide unjustified extension of the term of such patent. Accordingly, Applicants respectfully submit that the obviousness-type double patenting rejection of the present claims in view of the parent application is improper.

CONCLUSION

Applicants submit that all of pending claims 30-64 are in condition for allowance. Accordingly, prompt issuance of a Notice of Allowance is earnestly solicited. Should there be a fee due which is not accounted for, please charge such fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,

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